

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>COACH, INC., <i>et al.</i>,</b>	:	
	:	<b>Case No. 2:16-cv-729</b>
<b>Plaintiffs,</b>	:	
	:	<b>JUDGE ALGENON L. MARBLEY</b>
<b>v.</b>	:	
	:	<b>Magistrate Judge Deavers</b>
<b>MELANIE BROMELOW, <i>et al.</i>,</b>	:	
	:	
<b>Defendants.</b>	:	

**ORDER**

This matter comes before the Court on Magistrate Judge Deavers's February 27, 2017 **Report and Recommendation** (Doc. 26), which recommended that Defendant Greg Bromelow ("Bromelow") be dismissed as a defendant without prejudice in this action. On February 2, 2017, the Court ordered Plaintiff to effect service on Bromelow within fourteen days or alternatively show cause why the Court should not dismiss the action under Federal Rule of Civil Procedure 4(m). (Doc. 20.) Plaintiff responded to the Court's Show Cause Order on February 13, 2017, indicating that it had no objection to the dismissal without prejudice of Bromelow from this action. (Doc. 26-1.)

Judge Deavers's Report and Recommendation specifically advised the parties that the failure to object results in a waiver of the right to have the district judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation. (Doc. 26 at 2.) The parties have failed to file any objections, and the deadline for objections (March 13, 2017) has lapsed.

The Court hereby **ADOPTS** the Report and Recommendation (Doc. 26) based on the independent consideration of the analysis therein, and **DISMISSES** without prejudice Bromelow from this action.

**IT IS SO ORDERED.**

s/ Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT JUDGE**

**DATED: May 1, 2017**